

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

Crl.Rev.Pet.No. 143 of 2007()

CC.495/2003 of JUDL.MAGISTRATE OF FIRST CLASS-III, KOTTAYAM

.....

REVN. PETITIONER: PETITIONER/PETITIONER/ACCUSED NO.2

PRIYA K. KURIAN,
VAYALIL PARAMBIL VEEDU, ATHANI JUNCTION,
NEDUMBASSERIKKARA, ATHANI VILLAGE,
ERNAKULAM DISTRICT.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

CRL. R.P. NO. 143 OF 2007

: 2 :

ORDER ON CRL. M.A. NO. 491/2007 IN CRL. R.P. NO. 143/2007

DISMISSED

08.03.2007

SD/- K.R. UDAYABHANU, JUDGE.

/True Copy/

P.A to Judge.

K.R. UDAYABHANU, J

=====

CRL. R.P. NO. 143 OF 2007

=====

Dated this the 8th day of March 2007

O R D E R

The revision petitioner is the 2nd accused in C.C. No. 495/2003 with respect to the offences under Sections 468, 420, 408, 471, 477 (a) of the Indian Penal Code. The application filed by her seeking discharge was dismissed by the court below observing that pre-trial stage of discharge prayed for cannot be entertained before framing charge. The above observation is clearly incorrect. Hence, the order of the court below in C.M.P. No. 717/2006 is herewith set aside. The court below is directed to consider the application on merits and dispose of the same. The revision petitioner shall appear before Judicial First Class Magistrate -III, Kottayam on **04.04.2007**.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV

